

# **TIVERTON TOWN COUNCIL**

**Regular Meeting: Monday, March 24, 2008 at 7:00 p.m.**

**MEETING TO BE HELD AT TIVERTON MIDDLE SCHOOL CAFETORIUM**  
**10 QUINTAL DRIVE, TIVERTON, RHODE ISLAND**

**NOTE:** Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

**DATE POSTED: 3-20-2008**

**1. PLEDGE OF ALLEGIANCE TO THE FLAG**

**2. ROLL CALL**

**Joanne M. Arruda  
Donald Bollin  
Paul E. Carroll  
Hannibal Costa**

**Louise Durfee  
Jay Edwards  
Brian A. Medeiros**

**3. APPROVAL OF CONSENT AGENDA**

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

**4. BUSINESS BROUGHT BEFORE THE COUNCIL**

**CONSENT AGENDA:**

**(C.A.) 1. a.** Approval of Minutes Regular Town Council Meeting March 10, 2008

b. Approval of Executive Session Minutes March 10, 2008

**(C.A.) 2.** Receipt of Minutes from the Following Boards, Commissions

a. Cemetery Commission

b. Economic Development Commission

c. Wastewater Management Commission

**(C.A.) 3. CORRESPONDENCE - RECEIVE AND FILE**

a. Received From Town of Portsmouth - Resolution Regarding School Housing Project Costs Amendment to RIGL 16-7-44

b. Received From Armenian National Committee of RI Regarding Flag Raising on April 24<sup>th</sup>

c. Received From City of Warwick – Resolution Related to House Bill 7108 – Prohibiting Language in Collective Bargaining Agreements Identifying a Specific Medical Insurance Company

d. Received From City of Warwick Regarding Countywide Governmental Services

e. Received From City of Warwick – Resolution Regarding Statewide E911 System

- f. Received From Town of Burrillville – Resolution Opposing H7448, Relating to Parks and Recreational Areas – Public Use of Private Lands – Liability Limitations
- g. Received From Town Clerk – Correspondence Placed in Council Boxers on March 14, 2008
- h. Received by Town Administrator From Dan Beardsley, Exec Director RI League of Cities and Towns Regarding H7204 Caroulo Act
- (C.A.) 4. Approval of Tax Assessor’s Abatements
- (C.A.) 5. Approval of Tax Assessor’s Board of Review Abatements
- (C.A.) 6. John Lincourt, WW Collection Superintendent – Requests Authorization for Town Administrator to Prepare Application Documents and Seek \$300,000 in Financing for Septic System Repairs Through the CSSLP

## **B – PUBLIC HEARING**

- 1. Steve Ostiguy, Church Community Housing - Second Public Hearing - Community Development Block Grant Program
- 2. Public Hearing – Amendment of Zoning Map and Zoning Ordinance
  - a. Correspondence Received From Tiverton Open Space and Land Preservation Commission and the Nature Conservancy of RI

## **C - BOARD OF LICENSING COMMISSIONERS**

- 1. J & A Landscaping – Request Street Excavators License Renewal – Subject to Meeting All Legal Requirements
- 2. St Theresa’s Parish, Karen J. Lucas – Request Class F Liquor License – August 1- August 3, 2008 for Annual Parish Feast

## **D - APPOINTMENTS & RESIGNATIONS:**

- 1. Christopher Nearpass – Seeking Re-appointment to Wastewater Management Commission
- 2. Appointments to **New Sakonnet Bridge Advisory Committee** – Per Council Resolution Town Administrator (Chair), DPW Director, Town Planner, Town Clerk (ex-officio as Secretary)
  - a. Noel Berg – Chair Planning Board
  - b. Tom Ramotowski – Chair Conservation Commission
  - c. John McEwing – Harbor and Coastal Waters Commission
  - d. Three Members From Public Within 1000 Feet of Bridge

1. Franklin Raposa, 88 Evans Avenue
2. Henry Curran, 132 Evans Avenue
3. Glen Brown, 59 Evans
4. Peter M. Moniz, 83 Captain's Circle
- e. Member of the Town Council
- f. Harbormaster – No Response At This Time
3. Appointments to **Resolution Implementing Establishment of The Stone Bridge Committee**, Town Planner (Chair), DPW Director,
  - a. Noel Berg – Chair Planning Board
  - b. Leonard Schmidt - Chair Economic Development
  - c. John McEwing - Harbor and Coastal Waters Commission
  - d. Jack Cook – Chair Recreation Commission
  - e. Public Member Managing Business in Vicinity – No Applicants At This Time
  - f. Two (2) Members of Public – No Applicants At This Time
  - g. Harbormaster – No Response At This Time

#### **E - UNFINISHED BUSINESS:**

#### **F – FINANCIAL BUSINESS:**

1. DPW, Stephen Berlucchi – Request Release of Carried Forward Funds
  - a. From Account # 553-442 (Landfill Equipment, Rental, Cover) for \$30,000 to Current F/Y
  - b. From Account #554-794(Paving) for \$86,752.06 to Current F/Y
2. TPD, Chief Blakey – Requests Transfer Funds
  - a. \$40,000 From Account #333-101 (Police Salary) to Account #333-102 (Police Overtime)
  - b. \$8,050 From Account #333-101 (Police Salary) to Account #333-115 (Police Education Incentive)

#### **G - NEW BUSINESS:**

1. Jack Cook/Gary Rose, Recreation Commission – Brief Update of Planned Fundraising for Bulgarmarsh Park.

#### **H – BIDS AND REQUESTS FOR PROPOSALS**

1. James Goncalo, Town Administrator – Request Permission to Award Dump Trailer Bid to Wright Trailers, Inc. for \$5,295

2. James Goncalo, Town Administrator – Request Approval of Contract for Pocasset Hill Cemetery Labor and Maintenance and Award to Ronald Helger – Recommended by the Cemetery Commission
3. Geri Holewiak, Tax Collector – Request Permission to Waive Bid for Process of Printing Tax Bills and Processing Tax Rolls

#### **I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

1. Memorandum Requesting Referral to Zoning Board for Show Cause Hearing on License for Viking Stone
2. Bourne Mill Street Acceptance and Abandonment – Ratify Final Documents
3. Resolution of Town Council Requesting Enabling Legislation Regarding Town Held Property Being Transferred
4. Distribution of Council Requested Draft of “Model Contract”
5. Corvello v. N.E.Gas – Documents for Distribution
  - a. Motion of N.E.Gas
  - b. Order of District Court in Response to Motion, Delaying Tiverton Part of Trial
  - c. Deposition Transcript Invoices
  - d. Memorandum Scheduling of Special Council Meetings March 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>
6. Regarding Mediation of Corvello v. N.E. Gas – Schedule Special Town Council Meetings

#### **5. CLOSED EXECUTIVE SESSION**

1. Town Solicitor - Litigation – 42-46-5(a)(2)
2. Town Council – 42-46-5(a)(5) – Acquisition or Disposition of Town Held Property
3. Town Administrator - Personnel – 42-46-5(a)(1) – Gareth Eames, Code Enforcement Officer – Notice Given

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

#### **6. ADJOURNMENT**

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”